

EXHIBIT 4

SEARCH WARRANT

Commonwealth of Virginia VA. CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing:
 Google, Inc.

1600 Amphitheater Parkway
 Mountain View, CA 94043

This warrant shall be properly served on the entity named in the warrant in accordance with Section 19.2-70.3 of the Code of Virginia.

for the following property, objects and/or persons:
 See Attachment A

☐ This SEARCH WARRANT authorizes a search of a place of abode which may be executed by initial entry of the abode ☐ only in the daytime hours between 8:00 a.m. and 5:00 p.m., unless prior to the issuance of this SEARCH WARRANT, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously OR ☐ at any time for good cause shown.

As this SEARCH WARRANT authorizes a search of a place of abode, you are required to be recognizable and identifiable as a uniformed law-enforcement officer and to provide audible notice of your authority and purpose reasonably designed to be heard by the occupants of the place to be searched prior to the execution of this SEARCH WARRANT.

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Roanoke County Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to ☒ an offense substantially described as follows:

☐ a person to be arrested for whom a warrant or process for arrest has been issued as follows:

Section 18.2-152.4, Computer Trespass

I, the undersigned, have found probable cause to believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime, or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched, and further that the search should be made, based on the statements in the attached affidavit sworn to by

06/28/2021 01:25 PM

DATE AND TIME

FORM DC-339 (MASTER, PAGE ONE OF TWO) (03/21) (EMERGENCY ENACTMENT)

Special Agent CT Bocock

NAME OF AGENT

☐ CLERK ☒ MAGISTRATE ☐ JUDGE

A. R. Lucas

FILE NO.

SEARCH WARRANT

COMMONWEALTH OF VIRGINIA

v/In re

Google, Inc.

1600 Amphitheatre Pkwy

Mountain View, CA 94043

SWN: 161CM2100005018

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Attachment A

Constitution of Virginia VA CODE § 19-2-54

3. The things or persons to be searched for are described as follows:

- a. Location Data: Any location data currently stored in relation to the email address identified below or associated with the Device ID listed below. This includes any historical physical addresses, latitude and longitude data, estimated latitude and longitude location data, location history, or any other data captured and stored by Google by the listed Gmail user that would aid law enforcement in establishing historical location information related to the Gmail account use.

This would further include all information stored and maintained the "My Activity" associated with the listed Gmail address. Specifically, all information currently stored in reference to the users "Timeline in Google Maps."

Location information can be in the form of historical records. Specific to GOOGLE, this would include any reports of device activity that would include the approximate latitude and longitude of the device at the time of the activity, direction and distance from the tower, and other location related information.

- b. Account Information: To include all account owner/user identification information, to include all information listed in the "your personal info" within the Google My Account screen. This is to include any stored data that would aid in identifying the user/owner of the listed Gmail account. Any IP addresses related data access, logins, or browsing history, forwarding phone numbers, SMS forwarding numbers, alternative email addresses, and any linked social media accounts would be included in this request.

Further included in "account information" is all information currently stored in reference to the users account to include, Google search history, websites visited history, map search history, and any other information associated with location history, device information and recently used devices.

- c. Application History: To include all apps downloaded from the Google Play Store to the current devices associated with this Gmail address. This request will include the association of each app to a specific device when available and the date the app was downloaded.
- d. Email Content: Any Email Content currently stored in relation to the email address identified below

6/28/21
CJD

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e. Any and all Google drive content shared by and with the subscriber.

The above information is being requested in reference to the following GOOGLE "Gmail" account:

Gmail Account: justinasmith174@gmail.com

Subscriber: Justin Smith

Service Provider: Google, Inc

Location: 1600 Amphitheatre Parkway

Mountain View, CA 94043

Email: uslawenforcement@google.com

The information is being requested during the following time period: 05/01/2020 through 04/30/2021

Virginia State Police
Special Agent C. Bocock
Bureau of Criminal Investigations

Date: 6/28/21
Initial: CB

AFFIDAVIT FOR SEARCH WARRANT

Commonwealth of Virginia
VA CODE § 19.2-54

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The undersigned Applicant states under oath:

1. A search is requested in relation to ☒ an offense substantially described as follows:
☐ a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:

§ 18.2-152.4. Computer Trespass

☐ CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows ☐ and is a place of abode:

Google, Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043

Pursuant to 19.2-70.3 your affiant believes the records requested are actually or constructively possessed by a foreign corporation, Google LLC, that provides electronic communication service or remote computing service within the commonwealth of Virginia.

☐ CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:

See Attachment A

☐ CONTINUED ON ATTACHED SHEET

FILE NO.	
AFFIDAVIT FOR SEARCH WARRANT	
APPLICANT:	
C. E. Bececk NAME	
Special Agent TITLE (IF ANY)	
3775 W. Main St ADDRESS	
Salem VA 24153	
Certified to Clerk of Roanoke County on 06-28-2021 DATE Magsanti TITLE Signature Circuit Court	
Original Delivered <input type="checkbox"/> in person <input type="checkbox"/> by certified mail <input type="checkbox"/> by electronically transmitted facsimile <input type="checkbox"/> by use of filing/security procedures defined in the Uniform Electronic Transactions Act	
to Clerk of CITY OR COUNTY WHERE EXECUTED on DATE	Circuit Court Signature

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4. The material facts constituting probable cause that the search should be made are:

See Attachment B

5. The object, thing or person to be searched for ☒ constitutes evidence of the commission of such offense ☐ is the person to be arrested for whom a warrant or process for arrest has been issued.
6. ☐ Authorization to execute a search warrant of a place of abode other than in the daytime hours between 8:00 a.m. and 5:00 p.m. is requested. The material facts constituting good cause for such authorization are:

☐ Reasonable efforts were made to locate a judge, and a judge is not available, before seeking authorization from a magistrate to execute a search warrant other than in the daytime hours between 8:00 a.m. and 5:00 p.m., with those reasonable efforts being as follows:

OR ☐ Reasonable efforts were not made to locate a judge as the following circumstances require the issuance of the search warrant after 5:00 p.m.:

7. ☒ I have personal knowledge of the facts set forth in this affidavit AND/OR ☐ I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:

Your affiant is a sworn special agent and has been employed with the Virginia State Police for 10 years. Your affiant has participated in a variety of criminal investigations including but not limited to: fraud, sex crimes, banking crimes, arson, illegal explosives, homicide, narcotics, embezzlement, larceny, weapons violations, malicious wounding and other crimes. Your affiant has executed and assisted in numerous search warrants involving criminal investigations.

The statements above are true and accurate to the best of my knowledge and belief.

Special Agent
JULIE H. APPLANT

Special Agent C. Boxack
OFFICER

Subscribed and sworn to before me this day.

06-28-2021 120p-

JULIE H. APPLANT

COMPLAINANT: [REDACTED] DATE: 06/28/2021 TIME: 12:00 PM

OFFICER: [REDACTED] DATE: 06/28/2021 TIME: 12:00 PM

COPY

Attachment A

Commonwealth of Virginia

V.A. Code § 19.2-54

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Virginia State Police
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Bureau of Criminal Investigations

Date: 6/28/21
Initial: CB

Attachment B

Commonwealth of Virginia

VA CODE § 19.2-54

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4. The material facts constituting probable cause that the search should be made are:

On April 26, 2021 your affiant spoke with First Sergeant Shawn Richardson with the Rocky Mount Police Department who reported their surveillance video footage from May 31, 2020 was obtained unlawfully and provided to a citizen, Joe Stanley, who then posted an unauthorized copy of the surveillance video footage to Facebook on April 12, 2021 at 7:48 p.m. The Rocky Mount Chief of Police Ken Criner reports this surveillance video was not authorized to be downloaded or disseminated. First Sergeant Shawn Richardson advised there are only four employees who had access to their surveillance system and two of them are no longer employed with the police department. Mr. Joe Stanley has made several posts to Facebook reflecting his disdain for the local governments' actions and the Rocky Mount Town Police Department. A search warrant response from google shows this google email address "joestanley24067@gmail.com" communicating with justinasmith174@gmail.com in reference to the Rocky Mount Town Police Department about the unauthorized armory surveillance video footage. This email belongs to a Mr. Justin Smith who was a sworn police officer with the Rocky Mount Town Police Department and resigned June 23, 2020. In the google records from Mr. Stanley's account, Justin Smith states he has a source within Rocky Mount Police Department and doesn't want them to get fired over the surveillance footage.

Virginia State Police
Special Agent C. Bocock
Bureau of Criminal Investigations

Date: 6/28/21
Initial: CB

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